UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA EASTERN DIVISION

JAMES McKINLEY JOHNSTON,)
Plaintiff,)
V.) JUDGMENT
) No. 4:11-CV-184-FI
CAROLYN PATTERSON, USDA,)
Defendant.)

Decision by Court.

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of the Memorandum and Recommendation of the United States Magistrate Judge recommending that this court dismiss plaintiff's *in forma pauperis* complaint under 28 U.S.C. § 1915(e)(2).

IT IS ORDERED, ADJUDGED AND DECREED in accordance with the court's order entered May 18, 2012, and for the reasons set forth more specifically therein, that this action is dismissed due to lack of subject matter jurisdiction. The plaintiff shall have and recover nothing from this action.

This Judgment Filed and Entered on May 18, 2012, and Copies To:

James McKinley Johnston (via U.S. Mail) 276 Summit Road, Littleton, NC 27850

May 18, 2012

JULIE A. RICHARDS, CLERK

/s/ Christa N. Baker

(By) Christa N. Baker, Deputy Clerk